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SAP/BLAKELY 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040			EXAMINER ORR, HENRY W	
			ART UNIT 2176	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/813,788

Applicant(s)

TODOROVA ET AL.

Examiner

Henry Orr

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 21-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 21-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/2/2007 has been entered.

2. This action is responsive to applicant's amendment dated 10/2/2007.

3. Claims 1-10 and 21-40 are pending in the case.

4. Claims 11-20 are cancelled.

5. Claims 33-40 are newly added.

6. Claims 1, 21 and 27 are independent claims.

Applicant's Response

7. In Applicant's response dated 10/2/2007, applicant has amended the following:

a) Claims 27, 28 and 31

Based on Applicant's amendments and remarks, the following objections and rejections previously set forth in Office Action dated 7/2/2007 are withdrawn:

a) Objection to claims 27-32

b) 35 U.S.C. 101 Rejection to claims 11-26

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. **Claims 1-5, 7, 21-24 and 27-30 and 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanchett, U.S. Patent No. 6,834,301 B1, in view of Melillo, U.S. Publication No. 2004/0003122 A1.**

Claim 1:

Hanchett teaches *"The management console 106 may display various retrieved data in a display. For example, the management console 106 may display details of the hierarchical network directory tree. The management console 106 alternatively or additionally enable the network administrator to select a node such as an end node and display applications under management for the selected node"* (see col. 4 lines 32-44).

Hanchett further teaches *"The end node 104, in conjunction with the directory server 102, may monitor and record systems properties"* (see col. 4 lines 16-20).

(claim 1; i.e., A computer-implemented method employed within a network comprising: displaying a hierarchical tree structure having one or more selectable tree nodes in a graphical user interface, each of the one or more tree nodes representing a resource of an application server; wherein at least one of

the tree nodes is a monitor service tree node, the monitor service tree node representing a monitor service of the application server; receiving a first indication that the monitor service tree node is selected; and displaying a monitor tree in the graphical user interface, the displayed monitor tree having one or more selectable monitor tree nodes,)

Examiner interprets the management console to be a graphical user interface and the hierarchical network directory tree to have a hierarchical tree structure representing resources such as applications and devices. Examiner interprets the end node to be a monitor service tree node because the end node monitors systems properties.

Hanchett fails to expressly teach a managed bean.

However, Melillo teaches *"the Mbean wraps the non-Mbean making possible its management in the JMX architecture"* (see abstract). **(claim 1; i.e., wherein each of the one or more monitor tree nodes includes a monitor managed bean and an associated resource.)**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to create the non-complaint Mbean application resource as taught by Hanchett into a managed bean with the Mbean wrapper and to use the JMX adapter as taught by Melillo to enable the management console as taught by Hanchett to display the converted managed bean in a JMX architecture to provide the benefit of managing

objects representing different types of resources. (see Hanchett; col. 11 lines 54-57)
(see Melillo; par. 2, par. 106-107)

Claim 2:

Hanchett fails to expressly teach a status indicator.

However, Melillo teaches "*In a management framework each resource is instrumented to enable access to corresponding information relating to the resource (such as data, events and status)*" (see par. 18). **(claim 2; i.e., wherein each displayed monitor tree node provides a status indicator to provide a current status of a monitored resource.)**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to create the non-complaint Mbean application resource as taught by Hanchett into a managed bean with the Mbean wrapper and to use the JMX adapter as taught by Melillo to enable the management console as taught by Hanchett to display the status of the converted managed bean in a management framework to provide the benefit of managing several kinds of resources such as stand-alone programs, client-server applications, Internet-based services, hardware devices, and the like. (see Hanchett; col. 11 lines 54-57) (see Melillo; par. 2, par. 18, par. 106-107)

Claim 3:

Hanchett teaches "*The management console 106 alternatively or additionally enable the network administrator to select a node such as an end node and display*

applications under management for the selected node etc... Any modifications to the control data may be made via the management console 106" (see col. 4 lines 35-44).

(claim 3; i.e., receiving an second indication that one of the one or more monitor tree nodes is selected; and configuring the selected monitor tree node with the graphical user interface.) Examiner interprets the administrator selecting end node as an indication that a monitor tree end node is selected. Modifying the control data of the end node is interpreted as configuring the data of the selected monitor tree node.

Claim 4:

Hanchett teaches *"Periodic timed updates performs checks to ensure that the data has not become stale"* (see col. 11 lines 19-20). **(claim 4; i.e., setting a monitoring period for the selected monitor tree node.)** Examiner interprets the periodic timed updates of checking the policy data for the application represented by the selected end node to be a way of setting a monitoring period of the selected monitor tree node because checking periodically is another way of monitoring for a period.

Claim 5:

Hanchett teaches *"Event data, such as "Virus Found" and "File Cleaned," may be sent by the agent of the node from the application under management"* (see col. 8 lines 45-51). **(claim 5; i.e., configuring the selected monitor tree node to provide an alarm if a resource associated with the selected monitor tree node malfunctions.)** Examiner interprets the event data "Virus Found" as a type of alarm for a malfunctioned

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resource.

Claim 7:

Hanchett teaches *"Event data, such as "Virus Found" and "File Cleaned," may be sent by the agent of the node from the application under management to the directory server 102 for storage. The end node 104 collects and stores the event data and sends the stored event data to the directory server 102 via the network 110"* (see col. 8 lines 45-51). **(claim 7; i.e., configuring the selected monitor tree node to push monitor data from a resource associated with the selected monitor tree node to the selected monitor tree node.)** Examiner interprets the application under management as a resource pushing event data to the agent of the end node. The selectable end node is configurable by the management console.

Claims 21 and 33:

Claims 21 and 33 are directed towards system claims and are substantially encompassed in method claim 1; therefore the system claims are rejected under the same rationale as method claim 1 above.

In respect to the graphical user interface, cursor control device and the Java Management extensions (JMX) of system claims 21 and 33, it would have been obvious to one of ordinary skill in the art at the time the invention was made to configure the Management Console and mouse device as taught by Hanchett and the Java Management extensions (JMX) based architecture as taught by Melillo to perform the

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limitations of system claims 21 and 33 as further explained in the rationale of method claim 1 above. (see Hanchett Figure 4; mouse ref. #1011)

Claim 22:

Claim 22 is directed towards a system claim and is substantially encompassed in method claim 3; therefore the system claim is rejected under the same rationale as method claim 3 above.

Claim 23:

Claim 23 is directed towards a system claim and is substantially encompassed in method claim 4; therefore the system claim is rejected under the same rationale as method claim 4 above.

Claim 24:

Claim 24 is directed towards a system claim and is substantially encompassed in method claim 5; therefore the system claim is rejected under the same rationale as method claim 5 above.

Claims 27-30:

Claims 27, 28, 29 and 30 are directed towards manufacture claims and are substantially encompassed in method claims 1, 3, 4 and 5 respectively; therefore the

manufacture claims are rejected under the same rationale as method claims 1, 3, 4 and 5 above.

Claim 34:

Claim 34 is directed towards a system claim and is substantially encompassed in method claim 3; therefore the system claim is rejected under the same rationale as method claim 3 above. In respect to the cursor control device and the window pane of system claim 34, it would have been obvious to one of ordinary skill in the art at the time the invention was made to configure the Management Console and the mouse device as taught by Hanchett to perform the limitations of system claim 34 as further explained in the rationale of method claim 3 above. Examiner considers the Management Console to be a window based graphical user interface, therefore the information is to be displayed in a windowpane of the window based graphical user interface (see Hanchett Figure 4; mouse ref. #1011).

Claim 35:

Hanchett teaches *"a network directory defining a hierarchical tree structure containing nodes, each node corresponding to a device of the network of devices"* (see col. 2 lines 50-55). **(claim 35; i.e., wherein displaying information related to the one or monitor tree nodes includes displaying at least one of a name of the selected monitor tree node, a description of the selected monitor tree node, a monitor type**

for the selected monitor tree node, and monitor data.) Examiner interprets the node corresponding to a device to be displayed as a device monitor type tree node.

10. **Claims 6, 8-10, 25, 26, 31,32 and 36-40, are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanchett, in view of Melillo as cited above, in further view of Kekic et al. (hereafter referred to as Kekic), U.S. Patent # 6,664,978 B1.**

Claim 6:

Neither Hanchett nor Melillo expressly teach to poll monitor data from a resource.

However, Kekic teaches *"polling events are proactive requests made by management station 110 to elicit information from the agent. A common network management technique called "trap directed polling" is for the management station to wait for a trap event and then poll for more information regarding that event"* (see col. 4 lines 18-26, col. 38 lines 18-56). **(claim 6; i.e., configuring the selected monitor tree node to poll monitor data from a resource associated with the selected monitor tree node.)** Examiner interprets the graphical interface in Kekic's Figure 19B as a configuration means to poll monitor data from a resource.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to create the non-complaint Mbean application resource as taught by Hanchett into a managed bean with the Mbean wrapper and to use the JMX adapter as taught by Melillo to enable the management console as taught by Hanchett to configure a polling event to poll monitor data from a resource as taught by Kekic to provide the benefit of managing objects representing different types of resources while

minimizing the impact of managed objects and network bandwidth (see Hanchett; col. 11 lines 54-57) (see Melillo; par. 2, par. 18, par. 106-107) (see Kekic; col. 4 lines 18-26).

Claim 8:

Neither Hanchett nor Melillo expressly teach setting a threshold value.

However, Kekic teaches *"With client 391, the administrator can set up a set of rules within event rules 412 which say that the first time the threshold is passed, the port is put in the warning state and the polling rate is increased. If the port remains over the threshold for the rest of the minute, the port is put in the alarm state and an alarm is triggered"* (col. 18 lines 46-55, Figure 24). **(claim 8; i.e., setting a threshold value for the selected monitor tree node, wherein the selected monitor tree node is to provide a third indication if the threshold value is detected.)** Examiner interprets the threshold condition to contain a threshold value as shown in Kekic's Figure 24.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to create the non-complaint Mbean application resource as taught by Hanchett into a managed bean with the Mbean wrapper and to use the JMX adapter as taught by Melillo to enable the management console as taught by Hanchett to configure a threshold condition which contains a threshold value as taught by Kekic to provide the benefit of saving the user from having to manually trigger alarms such as "Virus Found" for the different types of managed objects. Thus, setting the threshold condition would dramatically reduce the time and complexity of managing a computer

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network (see Hanchett; col. 11 lines 54-57) (see Melillo; par. 2, par. 18, par. 106-107) (see Kekic; col. 18 lines 56-63).

Claim 9:

Hanchett teaches selectable end nodes (see col. 4 lines 32-44). **(claim 9; i.e., receiving a fourth indication that one of the one or more monitor tree node is selected;)**

Neither Hanchett nor Melillo expressly teach displaying a history of monitor data. However, Kekic teaches *"When the user activates button Alarms 312B, an alarm history log of all managed computer network elements in network 300 is displayed in work area 603"* (see col. 22 lines 29-32). **(claim 9; i.e., displaying a history of monitor data collected by the selected monitor tree node.)** Examiner interprets the displayed alarm history log as displaying a history of monitor data collected.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to create the non-complaint Mbean application resource as taught by Hanchett into a managed bean with the Mbean wrapper and to use the JMX adapter as taught by Melillo to enable the management console as taught by Hanchett to display the alarm history log as taught by Kekic to provide the benefit of viewing the detailed history of the triggered alarms such as "Virus Found" for the different types of managed objects. Thus, displaying a history of the alarm log in a graphical interface such as the management console would dramatically reduce the time and complexity of managing a

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computer network (see Hanchett; col. 11 lines 54-57) (see Melillo; par. 2, par. 18, par. 106-107) (see Kekic; Figure 31, col. 18 lines 56-63).

Claim 10:

Neither Hanchett nor Melillo expressly teach displaying a table of monitor data.

However, Kekic teaches "*Column: Date & Time and Description: Day and Time when the alarm occurred*" (see col. 48 Table 7). **(claim 10; i.e., displaying a table of monitor data, the displayed table including a time column to display a time when an item of monitor data is collected and one or more columns of monitor data.)**

Examiner interprets the table shown in Kekic's Figure 31 to have a time column and additional columns of monitor data.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to create the non-complaint Mbean application resource as taught by Hanchett into a managed bean with the Mbean wrapper and to use the JMX adapter as taught by Melillo to enable the management console as taught by Hanchett to display the alarm history log the includes a time column as taught by Kekic to provide the benefit of viewing the detailed history of the triggered alarms such as "Virus Found" for the different types of managed objects. Thus, displaying a time column in the history of the alarm log in a graphical interface such as the management console would dramatically reduce the time and complexity of managing a computer network due to

the accuracy of the history log. (see Hanchett; col. 11 lines 54-57) (see Melillo; par. 2, par. 18, par. 106-107) (see Kekic; Figure 31, col. 48 Table 7).

Claim 25:

Claim 25 is directed towards a system claim and is substantially encompassed in method claim 6; therefore the system claim is rejected under the same rationale as method claim 6 above. Claim 25 invokes the sixth paragraph of 35 U.S.C. 112, therefore the corresponding structure element for performing the means for configuring as recited in claim 25 is the management console illustrated in Hanchett's Figure 1.

Claim 26:

Claim 26 is directed towards a system claim and is substantially encompassed in method claim 8; therefore the system claim is rejected under the same rationale as method claim 8 above.

Claims 31 and 32:

Claims 31 and 32 are directed towards manufacture claims and are substantially encompassed in method claims 9 and 10 respectively; therefore the manufacture claims are rejected under the same rationale as method claims 9 and 10 above. In respect to the computer program of manufacture claims 31 and 32, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the computer program product as taught by Hanchett to perform the limitations of manufacture claims

31 and 32 as further explained in the rationale of method claims 9 and 10 above (see Hanchett col. 2 lines 44-59).

Claim 36:

Hanchett does teach selectable nodes that the network administrator can configure with the management console (see col. 4 lines 32-44). **(claim 36; i.e., a selectable configuration command;)**

Neither Hanchett nor Melillo expressly teach displaying selectable monitor tree node configuration options in response to a selecting a configuration command.

However, Kekic teaches *"Using panel 900 and in particular command buttons 903, the user can add an element manager, edit an existing element manager, copy an element manager, remove an element manager, or export an element manager etc...Upon activating button Add 903A, wizard panel 910 (FIG. 9B) is presented in work area 603"* (see col.29 lines 11-24). **(claim 36; and wherein the system further comprises a means for displaying one or more selectable monitor tree node configuration options in response to a selection of the configuration command.)**

Examiner interprets the wizard panel 910 as a pop up window that appears when the configuration command 903A is selected by the cursor as shown in Kekic's Figures 9A and 9B. The wizard panel 910 is used to build a element manager and to configure the network element that is interpreted to represent a monitoring tree node as illustrated in Kekic's Figures 6A-C, 12A, 14A, and 14B.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to create the non-complaint Mbean application resource as taught by Hanchett into a managed bean with the Mbean wrapper and to use the JMX adapter as taught by Melillo to enable the management console as taught by Hanchett to display a configuration wizard panel as taught by Kekic to provide the benefit of reducing the complexity of managing and configuring objects representing different types of resources in a computer network (see Hanchett; col. 11 lines 54-57) (see Melillo; par. 2, par. 106-107) (see Kekic; col. 5 lines 2-7).

Claim 37:

Neither Hanchett nor Melillo expressly teach monitor tree node configuration options.

However, Kekic's Figures 24 and 26 illustrates the configuration pop up wizard panel to have a resource malfunction response indicator and a threshold value field, respectively. **(claim 37; i.e., wherein the one or more monitor tree node configuration options include at least one of a monitoring period field to receive a value specifying a monitoring period, a resource malfunction response indicator to specify a response of the selected monitor tree node, if a resource malfunctions, a data collection indicator to indicate whether monitor data is to be pushed from the resource, and a threshold value field to receive a threshold value for specifying a threshold of the resource.)** Examiner interprets the value field under Frequency in Kekic's Figure 24 and **"the possible solution"** field in Kekic's Figure 26

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and as the resource malfunction response indicator and threshold value field, respectively.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to create the non-complaint Mbean application resource as taught by Hanchett into a managed bean with the Mbean wrapper and to use the JMX adapter as taught by Melillo to enable the management console as taught by Hanchett to display a pop up configuration wizard panel as taught by Kekic to provide the benefit of reducing the complexity of managing and configuring objects representing different types of resources in a computer network (see Hanchett; col. 11 lines 54-57) (see Melillo; par. 2, par. 106-107) (see Kekic; col. 5 lines 2-7).

Claim 38:

Neither Hanchett nor Melillo expressly teach displaying a history of monitor data.

However, Kekic teaches *"The user can determine why the alarms button was activated by reviewing an alarm log that is presented in the graphic user interface upon the user activating the alarms button"* (see col. 6 lines 3-6). **(claim 38; i.e., a monitor data history command; and wherein the system further comprising a means for displaying in response to a selection of the monitor data history command, a monitor data history pop-up window to provide a history of monitor data collected by the selected monitor tree node.)** Examiner interprets the alarm button in

Kekic's Figure 3B and the alarm log history in Figure 31 as the monitor data history command and the corresponding monitor data history pop-up window, respectively.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to create the non-complaint Mbean application resource as taught by Hanchett into a managed bean with the Mbean wrapper and to use the JMX adapter as taught by Melillo to enable the management console as taught by Hanchett to display the alarm history log with the alarm button as taught by Kekic to provide the benefit of viewing the detailed history of the triggered alarms such as "Virus Found" for the different types of managed objects. Thus, displaying a history of the alarm log in a graphical interface such as the management console would dramatically reduce the time and complexity of managing a computer network (see Hanchett; col. 11 lines 54-57) (see Melillo; par. 2, par. 18, par. 106-107) (see Kekic; Figure 31, col. 18 lines 56-63).

Claims 39-40:

Claims 39 and 40 are directed towards system claims and are substantially encompassed in method claim 10; therefore the system claims are rejected under the same rationale as method claim 10 above. In respect to the monitor data history pop-up window providing a table as recited system claims 39 and 40, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the table illustrated in Kekic's Figure 31 to perform the limitations of system claims 39 and 40 as further explained in the rationale of method claim 10 above.

Response to Arguments

11. Applicant's arguments filed 10/2/2007 have been fully considered but they are not persuasive.

Prior Art Rejections

Applicant argues that any hierarchical network directory tree described in Hanchett is **only** disclosed as having nodes which represent **network devices** (see Response page 15, 1st full paragraph). Similarly, the second sentence in the Abstract of Hanchett states that an end node corresponds to a **device** of the network of devices, and **nothing** in Hanchett discloses an end node representing anything other than such a device (see Response page 17 1st full paragraph).

Examiner respectfully disagrees.

Hanchett does disclose the nodes to represent network devices (see abstract, 2nd sentence).

However, Examiner submits that Hanchett does not **only** disclose the nodes to represent network devices.

Firstly, Hanchett discloses the network devices to have resources (see abstract, 3rd sentence). Therefore, Hanchett discloses the nodes to represent the network device and the resources of the network device (see abstract). Thus, Hanchett does not **only** disclose the nodes to represent network devices.

Secondly, Hanchett discloses an agent at each end node, which may collect information regarding the applications under management (see col. 4 lines 45-49). Therefore, if an agent is located at an end node and the agent collects information from the end node location. Then Hanchett must teach an end node to represent the agent's collected information regarding the applications under management. Thus, Hanchett does not **only** disclose the nodes to represent network devices.

Lastly, Hanchett discloses a management console that enables the network administrator to select an end node and display applications under management for the selected node (see col. 4 lines 35-38). In other words, a selected node may display a list of applications under management. Therefore, Hanchett must teach a selected node to represent a list of applications under management. Thus, Hanchett does not **only** disclose the nodes to represent network devices.

Applicant argues that Hanchett fails to disclose any hierarchical tree structure having one or more tree nodes representing a **resource of an application server** (see Response page 15 1st full paragraph).

Examiner respectfully disagrees.

Hanchett discloses a management console retrieving data from a directory server ("application server") (see col. 4 lines 30-31). Hanchett further teaches an agent at each end node, which may collect information regarding applications under management.

The agent at the end node transmits the collected information to the directory server ("application server"). Therefore, the end node is a representation of a resource that transmits the agent's collected information to the directory server (application server"). Thus, Hanchett must teach an end node with an agent to represent a resource of an application server, since the end node with the agent functions as a resource by transmitting collected information to the directory server ("application server").

Conclusion

12. All claims are drawn to the same invention claimed in the application prior to the entry of the submission under 37 CFR 1.114 and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the application prior to entry under 37 CFR 1.114.

Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action after the filing of a request for continued examination and the submission under 37 CFR 1.114. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

11/14/2007

HO

/Doug Hutton/

Doug Hutton
Supervisory Primary Examiner
Technology Center 2100